

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DAVID NIEDERST,)	CASE NO. 1:23-CV-117
)	
Plaintiff,)	JUDGE CHARLES E. FLEMING
)	
vs.)	
)	ORDER
MINUTEMAN CAPITAL, LLC, <i>et al.</i> ,)	
)	
Defendants.)	
)	
)	

Before the Court is Defendant Jonathan D. Heavey's third motion for extension of time to respond to the amended complaint. The Court notes that the motion was filed at 11:51 p.m. on the due date and requested until the next day (which was nine minutes away) to file the response. By doing so, counsel for Mr. Heavey obviated any chance that Plaintiff would have a chance to respond, or the Court would have a chance to rule, before the date requested for the extension. **THIS IS UNACCEPTABLE.** The motion is **DENIED**. If counsel files **ANY** future motion in a similar fashion as this, he will have to **SHOW CAUSE** why he should not be held in **CONTEMPT. IT IS SO ORDERED.**

IT IS SO ORDERED.

Date: June 8, 2023



CHARLES E. FLEMING
UNITED STATES DISTRICT JUDGE